

**STATUS OF CURRENT KENTUCKY COURT FACILITIES PROJECTS
WITH RESPECT TO BONDING ISSUES^{1, 2, 3}**

Projects that are bonded appropriately in accordance with Mr. Geisen's opinion:

County	General Contractor	Contract Sum, As Set Forth in the Contract Between the General Contractor and the Owner	Current Bond Status	Bond Requirements
Gallatin*	Klenco Construction Company	\$2,414,500.00	Klenco has provided a Performance and Payment bond in the amount of \$2,414,500.00.	No additional bonding required.
Grayson	D.W. Wilburn, Inc.	\$9,609,000.00	D.W. Wilburn has provided a Performance and Payment bond in the amount of \$9,609,000.00.	No additional bonding required.
Livingston*	B.H. Green & Son	\$6,666,403.00	B.H. Green has provided a Performance and Payment bond in the amount of \$6,666,403.00.	No additional bonding required.
Pulaski	D.W. Wilburn,	\$16,533,000.00	D.W. Wilburn	No additional

¹ This table is for summary purposes only. It is intended to assist the public in understanding the current bonding status of each court facilities project. It is not intended to provide instruction to Project Development Boards or contractors about what bonds may be required. For specific requirements, please see William G. Geisen's opinion letter dated March 19, 2009.

² For purposes of this table, *100% Performance and Payment Bond* means a Performance and Payment Bond, either as a single bond or as separate bonds, equivalent to 100% of the Contract Sum, with the Owner as Oblige.

³ The amounts listed in the Current Bond Status column for each table are based on the Performance and Payment Bonds furnished by the General Contractor or Construction Manager for each project and in the possession of the Administrative Office of the Courts as of March 16, 2009.

	Inc.		has provided a Performance and Payment bond in the amount of \$16,533,000.00	bonding required.
Robertson	Trace Creek Construction	\$2,457,794.00	Trace Creek has provided a Performance and Payment bond in the amount of \$2,457,794.00.	No additional bonding required.

Projects for which the Construction Manager (CM) has furnished an insufficient bond:

County	Construction Manager	Original Contract Sum, (as obtained from the most recent pay application)	Current Bond Status	Bond Requirements
Adair	Branscum Construction Co.	\$9,142,764.00	The CM has provided a Performance and Payment bond in the amount of \$571,422.75.	The CM must provide a 100% Performance and Payment Bond immediately.
Boyd	Codell Construction Co.	\$14,765,534.29	The CM has provided a Performance and Payment bond in the amount of \$760,610.00.	The CM must provide a 100% Performance and Payment bond immediately.
Grant	Codell Construction Co.	\$12,906,471.93	The CM has provided a Performance and Payment bond in the amount of \$623,312.50.	The CM must provide a 100% Performance and Payment bond immediately.
Green	Codell Construction Co.	\$9,046,697.92	The CM has provided a	The CM must provide a 100%

			Performance and Payment bond in the amount of \$453,050.00.	Performance and Payment bond immediately.
Hart*	Alliance Corporation	\$6,995,106.17	The CM has provided a Performance and Payment bond in the amount of \$508,482.50.	No additional bonding required, as project is complete. However, a 100% Performance and Payment Bond should have been furnished by the CM upon execution of its contract with the Owner.
Jackson	Codell Construction Co.	\$9,674,295.97	The CM has provided a Performance and Payment bond in the amount of \$488,312.50.	The CM must provide a 100% Performance and Payment bond immediately.
Laurel	Codell Construction Co.	\$17,321,031.48	The CM has provided a Performance and Payment bond in the amount of \$741,195.00.	The CM must provide a 100% Performance and Payment bond immediately.
Logan	Codell Construction Co.	\$11,132,107.80	The CM has provided a Performance and Payment bond in the amount of \$588,282.50.	The CM must provide a 100% Performance and Payment bond immediately.
Marion	Codell Construction Co.	\$8,392,000.00 ⁴	The CM has provided a Performance	The CM must provide a 100% Performance and

⁴ No pay applications have been submitted to date. This figure was obtained from the Total Construction Appropriation as listed in the Program Documents.

			and Payment bond in the amount of \$524,500.00.	Payment bond immediately.
Pendleton	Codell Construction Co.	\$9,793,605.26	The CM has provided a Performance and Payment bond in the amount of \$555,077.44.	The CM must provide a 100% Performance and Payment bond immediately.
Shelby	Codell Construction Co.	\$14,681,915.09	The CM has provided a Performance and Payment bond in the amount of \$728,985.00.	The CM must provide a 100% Performance and Payment bond immediately.
Taylor	Codell Construction Co.	\$11,584,631.29	The CM has provided a Performance and Payment bond in the amount of \$588,800.00.	The CM must provide a 100% Performance and Payment bond immediately.
Trigg	Codell Construction Co.	\$9,983,260.06	The CM has provided a Performance and Payment bond in the amount of \$456,250.00.	The CM must provide a 100% Performance and Payment bond immediately.
Washington*	Codell Construction Co.	\$9,653,491.38	The CM has provided a Performance and Payment bond in the amount of \$541,778.69.	No additional bonding required, as project is complete. However, a 100% Performance and Payment Bond should have been furnished by the CM upon execution of its contract with the Owner.

Projects where no Construction Manager or General Contractor contract has been executed to date:

County	Selected Construction Manager	Total Construction Appropriation (obtained from Program Documents)	Current Bond Status	Bond Requirements
Allen	Codell Construction Co.	\$11,670,000.00	No CM bond provided to date.	The CM must provide a 100% Performance and Payment bond upon execution of the contract.
Bracken	To Be Determined (TBD)	\$11,514,000.00	N / A	The CM must provide a 100% Performance and Payment bond upon execution of the contract.
Carlisle ⁵	Codell Construction Co.	\$9,461,409.00	No CM bond provided to date.	The CM must provide a 100% Performance and Payment upon execution of the contract.
Fleming	Trace Creek Construction, Inc.	\$8,100,000.00	No CM bond provided to date.	The CM must provide a 100% Performance and Payment bond upon execution of the contract.

⁵ Carlisle County is a fast-track project. Some site work has commenced at this time. While the subcontractor performing the site work (Central Paving Co. of Paducah) has furnished a Performance and Payment Bond in the amount of \$163,400.00, with the CM and the Owner listed as dual obligees, the CM has not yet furnished its Performance and Payment Bond. Please see Mr. Geisen's opinion letter dated March 19, 2009 for an analysis of the practice of providing dual obligee bonds.

Hopkins	TBD	\$14,461,000.00	N / A	The GC must provide a 100% Performance and Payment bond upon execution of the contract.
Lawrence	TBD	\$11,869,000.00	N / A	The CM must provide a 100% Performance and Payment bond upon execution of the contract.
Morgan	TBD	\$11,869,000.00	N / A	The CM must provide a 100% Performance and Payment bond upon execution of the contract.
Owen	Codell Construction Co.	\$8,171,000.00	No CM bond provided to date.	The CM must provide a 100% Performance and Payment bond upon execution of the contract.
Todd	Codell Construction Co.	\$6,710,000.00	No CM bond provided to date.	The CM must provide a 100% Performance and Payment bond upon execution of the contract.

**Projects where CM contracts have been executed, but for which the CM has not
furnished a Performance and Payment Bond:**

County	Construction Manager	Total Construction Appropriation (obtained from Program Documents)	Current Bond Status	Bond Requirements
Breckinridge	Codell Construction Co.	\$8,250,000.00	No CM bond provided to date.	The CM must provide a 100% Performance and Payment bond immediately.
Campbell	Codell Construction Co.	\$20,276,500.00	No CM bond provided to date.	The CM must provide a 100% Performance and Payment bond immediately.
Franklin	Codell Construction Co.	\$20,393,327.00	No CM bond provided to date.	The CM must provide a 100% Performance and Payment bond immediately.
Garrard	Branscum Construction Company, Inc.	\$8,240,000.00	No CM bond provided to date.	The CM must provide a 100% Performance and Payment bond immediately.
Hancock	Codell Construction Co.	\$8,350,000.00	No CM bond provided to date.	The CM must provide a 100% Performance and Payment bond immediately.
Mercer	Codell Construction Co.	\$8,560,000.00	No CM bond provided to date.	The CM must provide a 100% Performance and Payment bond immediately.
Monroe	Alliance Corporation	\$7,964,000.00	No CM bond provided to date.	The CM must provide a 100% Performance and Payment bond immediately.
Pike	Codell Construction	\$20,368,000.00	No CM bond	The CM must provide a 100%

	Co.		provided to date.	Performance and Payment bond immediately.
Rowan	Alliance Corporation / Packs, Inc.	\$9,280,000.00	No CM bond provided to date.	The CM must provide a 100% Performance and Payment bond immediately.
Russell	Branscum – Pepper Construction, LLC	\$8,224,000.00	No CM bond provided to date.	The CM must provide a 100% Performance and Payment bond immediately.
Whitley	Codell Construction Co.	\$13,320,000.00	No CM bond provided to date.	The CM must provide a 100% Performance and Payment bond immediately.
Wolfe	Codell Construction Co.	\$8,240,000.00	No CM bond provided to date.	The CM must provide a 100% Performance and Payment bond immediately.

* These four projects have recently been completed and/or are occupied by the Court of Justice.